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Application No. 10/511,476
Attorney Docket No. 067670-5002-US**REMARKS**

Reconsideration of this Application is respectfully requested. As a preliminary manner, Applicant notes that the Preliminary Amendment filed October 15, 2005 incorrectly indicated that original claim 14 was cancelled while at the same time presenting new claims starting with claim 14. The national stage application as filed included claims 1-13. Therefore, upon entry of the foregoing amendments, claims 14-47 are pending in the application, with claims 14, 24, 29, 33, and 42 being the independent claims. Claims 1-13 have previously been canceled without prejudice or disclaimer.

Support for the subject matter of the amended claims is contained in the application as originally filed. Claims 14, 24, 29, and 33 have been amended to correct typographical errors. Because the foregoing changes introduce no new matter, their entry is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Information Disclosure Statement

An Information Disclosure Statement was filed on August 19, 2005. The Examiner indicates that U.K. Patent No. 2,266,398A was not received and therefore has not been considered yet. A Supplemental Information Disclosure Statement will shortly follow including a copy of the U.K. patent for the consideration of the Examiner.

Rejections under 35 U.S.C. §§ 102 and 103**Claims 14-18, 21-22, 24-27, 29, 33-40, and 42-47**

The Examiner has rejected claims 14-18, 21-22, 24-27, 29, 33-40, and 42-47 under 35 U.S.C. § 102 as being anticipated by, or unpatentable over U.S. Patent No. 6,546,119 to Ciolli et al. ("Ciolli"). Ciolli fails to teach or suggest the method of the present invention including searching only a part of the record on the basis of position information, as is called for by

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independent claim 14. Independent claims 24, 29, 33, and 42 call for features similar to claim 14.

The Examiner takes the position that Ciolli discloses recording information about the position of a violating vehicle and using this position information for limiting the search for a license plate to only a part of a recording of the violation, as is called for by claim 14. In making the rejection, the Examiner refers to col. 2, line 48 to col. 3, line 10; col. 4, line 49 to col. 5, line 15; col. 5, line 41 to col. 6, line 34; and col. 10, lines 22-67. However, neither the referenced parts of the description nor other parts of Ciolli discloses making a recording and searching as called for by claim 14. Instead, Ciolli discloses a monitoring system making use of multiple separate cameras for providing multiple images of the scene of a violation. *See* col. 5, lines 64-66. One of the cameras is positioned to capture the license plate of a violating vehicle. Another camera captures the face of the driver of the vehicle. *See* col. 7, lines 46-49. Ciolli does not disclose making a search for the license plate. Rather, Ciolli discloses a camera in a specific, predetermined position to capture the license plate area. Further, Ciolli does not disclose searching within the existing license plate area image for the license plate.

Ciolli fails to disclose, on the basis of position information, searching for the license plate area in only a part of the record as called for by claim 14. Ciolli discloses a processor that compresses the scene images and transmits them to a database where they can later be retrieved and displayed. *See* col. 4, lines 63-66. Ciolli also discloses using information relating to the position of the vehicle for "tightening the field of view" to sharpen or enlarge the license plate area image. *See* col. 10, lines 22-27. The position information—information about the travel lane—can also be used to select one of two secondary imaging elements. *See* col. 10, lines 27-30. In essence, Ciolli uses the position information during the phase of *making* a record of a traffic violation in order to modify or select an image. Using the Ciolli device, a user must pull up the entire license plate image record and physically look for the license plate in the image. Further, there is no teaching or suggestion to search within the record based on position information.

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In contrast, the method of the present invention calls for using position information to conduct a search in part of a record of the incident. As explained on page 6 of the specification as originally filed, the method of the present invention involves inputting information relating to the position of the vehicle to a data file separate from the image data. This information may be input in a form that can be read and searched using a search routine. *See* page 6, lines 13-16 and page 7, lines 6-8. In this manner, the method of the present invention is directed in part to searching a large number of records rapidly. *See* page 8, lines 28-33. Further, the present invention may be used with only a single recorder (camera) providing only a single record while the Ciolli clearly discloses the use of the position information in the context of multiple cameras. For at least these reasons, Ciolli fails to disclose or suggest the method as defined in independent claim 14.

Independent claims 24 and 29 are directed to methods for recording an incident and call for searching a part of the record similar to claim 14. Independent claims 33 and 42 are directed to a structure including a reader adapted to search for a license plate in only a part of the record on the basis of position information. For at least the same reasons as mentioned above with respect to claim 14, independent claims 24, 29, 33, 42, and the claims dependent thereon, are believed to be allowable over Ciolli.

With respect to claim 16, Ciolli fails to disclose a search as called for by claim 16. The Examiner asserts that Ciolli discloses searching in only the left or right half of the record, based on the recorded direction of travel of the vehicle. *See* Office Action, page 3. However, as stated above, Ciolli uses the direction of travel to select one of two different imaging elements to make a record of the vehicle. Ciolli does not disclose searching within the record itself. After one of these imaging elements has been selected, the *entire* record made by the imaging element has to be searched for the license plate of the vehicle. Therefore, Applicant submits that claim 16 is allowable over Ciolli. Applicant respectfully submits that claim 25, which corresponds to claim 16, is allowable for the same reasons.

With respect to claim 17, the Examiner takes the position that col. 21, lines 1-48 of Ciolli discloses searching for one license plate among a plurality of vehicles caught in a single picture

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record and thus anticipates claim 17. Applicant disagrees. The cited portion of Ciolli in fact describes a rather complex expert system that is used to analyze the images captured by the cameras or imaging elements. This system is provided with information about the lanes in which the first few offending vehicles were traveling (col. 21, lines 7-8), which information is then used to supply the processor with the best data block location in the image for extracting the license plate of the vehicle. Contrary to the method and system of the present invention, the Ciolli system does not provide or make use of position information for *each* violating vehicle. Therefore, Applicant submits that claim 17, and corresponding claim 26, are allowable over Ciolli.

In connection with claim 21, the Examiner refers to col. 4, line 49 to col. 5, line 15 of Ciolli. Similar to the rejection of claim 16, however, the cited portion of Ciolli discloses a different feature than that called for by claim 21. Although the cited portion of Ciolli discloses that the incident is detected by emitting a signal and analyzing a signal reflected by the vehicle (e.g., radar or similar waves, col. 5, lines 1-2), Ciolli does not disclose any set transmission range being recorded as position information as called for by claims 21 and 27. In connection with claim 27, it is further noted that the Examiner appears to mistakenly write that claim 27 corresponds to claim 22 when in fact it corresponds to claim 21.

With respect to claim 22, the Examiner cites col. 7, line 42 to col. 8, line 30 of Ciolli as disclosing the subject matter of claim 22. However, the cited portion of Ciolli does not disclose a number of fixed detection elements but rather discloses a multitude of imaging elements. In contrast to Ciolli, claim 22 is directed in part to fixed detection elements (e.g., induction loops as illustrated in Fig. 4 and described on page 7, lines 18-32). Consequently, the subject matter of claim 22 is not disclosed in Ciolli.

As acknowledged by the Examiner, independent claim 33 and dependent claim 34 correspond with claims 14 and 17. Claims 33 and 34 are respectfully submitted to be allowable over Ciolli for at least the reasons as set out above with respect to claims 14 and 17.

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In respect of claim 36, the Examiner writes that the CCD disclosed in col. 7, lines 27-41 of Ciolli is an analog camera. However, from this portion of Ciolli it is clear that although the output of each CCD is analog per se, this output is digitized before being processed and stored. In fact, CCDs are standard imaging devices in digital cameras. In any event, Ciolli fails to disclose any use of film as called for by claim 36.

Independent claim 42 is directed to features similar to independent claim 33 and dependent claim 35 and is respectfully submitted to be allowable over the cited art for at least the same reasons as claims 33 and 35. Further, claim 42 includes additional feature of a reader adapted to identify and read the license plate from the image record. Ciolli fails to disclose or suggest such a reader.

Ciolli further fails to disclose the elements of claims 43 and 44. The Examiner does not cite to any portion of Ciolli as disclosing a computer including OCR software, and Applicant submits that Ciolli does not include any such teaching. In this manner, claim 43 is directed in part to reading and collecting license plate information into a searchable form with reduced manual function. See page 8, lines 18-27. The Examiner cites to col. 10, line 59 to col. 12, line 32 of Ciolli as disclosing the subject matter of claim 44; however, nowhere in the cited text is there any reference to the position information being stored as attachment to a data file containing the pictorial record as called for by claim 44. As explained above, Ciolli does not contemplate storing any position information apart from the captured image but merely use position information, if at all, to control certain imaging elements. In contrast, the present invention may use a camera to provide searchable evidence of the infraction incident to further support data concerning the offence. See page 6, lines 13-21.

Claim 45 substantially corresponds with claim 36 and is submitted to be allowable for at least the same reasons as asserted above with respect to claim 36. Moreover, there is no teaching in Ciolli of position information being shown in any pictorial record, let alone on film.

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Regarding claim 46, rejected on the basis of col. 10, lines 22-67 of Ciolli, Applicant respectfully submits that Ciolli does not disclose recording position information and using the information to limit the area within a record for searching as called for by claim 46.

For at least these reasons, Applicant respectfully submits that Ciolli, taken individually or combined, does not anticipate 14, 18, 21-22, 24-27, 29, 33-40, and 42-47.

Claims 19-20, 23, 28, and 30-32

The Examiner has rejected claims 19-20, 23, 28, and 30-32 under 35 U.S.C. § 103 as being unpatentable over Ciolli and U.S. Patent No. 6,573,929 to Glier et al. ("Glier"). Claims 19-20, 23, 28, and 30-32, which depend from independent claims 14, 24, and 29, are submitted to be allowable for at least the same reasons as claims 14, 24, and 29. Further, Ciolli and Glier, taken individually or combined, fail to teach or suggest the methods of the present invention as called for by claims 19-20, 23, 28, and 30-32 for the following reasons.

In connection with claims 19 and 30, the Examiner writes that Glier discloses searching for a license plate in a relatively narrow vertical strip of a record as called for by the claims. Applicant respectfully submits that such a feature is not disclosed anywhere in Ciolli. In rejecting claims 19 and 30, the Examiner specifically cites col. 5, lines 1-63; col. 6, line 13 to col. 7, line 6; and col. 7, line 51 to col. 8, line 12. However, neither the referenced parts of the Ciolli nor any other part of Glier actually disclose the features of claims 19 and 30. Instead, Glier discloses a system for predicting and then recording traffic light violations. The prediction is based on measurements of the speed and distance of vehicles caught in an image from a prediction camera. On the basis of the prediction, various cameras are adjusted or positioned to make specific records of the violating vehicle including an image of the license plate. The Glier system is not designed to limit the search area within a given existing record on the basis of position information.

With respect to claims 23 and 28, the Examiner states that Glier discloses measuring the distance to a vehicle as position information and that it would have been obvious to apply such measurement in the system of Ciolli. However, as set out above, Glier does not measure the

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distance of vehicles to be recorded and used as position information to limit a search area. Instead, the distance is measured as part of the calculations that serve to predict whether a certain vehicle will pass a stop line during a red phase of the traffic light. If this the vehicle is predicted to pass the stop line, the position of the vehicle is used to control the cameras to record the images. The position is not used to limit the field of search within these images.

For at least these reasons and those mentioned above with respect to independent claims 14, 24, and 29, Applicant respectfully submits that Ciolli and Glier, taken individually or combined, do not anticipate or render obvious claims 19-20, 23, 28, and 30-32.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extension of time or additional claims, and/or credit any overpayment to Deposit Account No. 50-0310 (Order No. 067670-5002-US).

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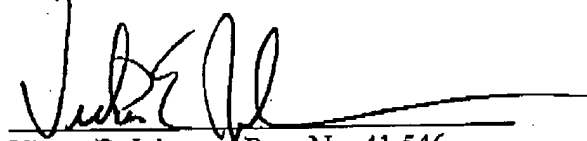
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Prompt and favorable consideration of this Amendment and Response is respectfully requested.

Respectfully submitted,

Date: February 21, 2008

By:


Victor E. Johnson, Reg. No. 41,546

MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, California 94105
Tel: 415.442.1000
Fax: 415.442.1001